

of the injunction. A report of such inspection was filed with the court and, on 9-29-60, the court entered an order dismissing the injunction.

28861. Dried Great Northern beans, cheesecake mix, poppyseed, and caraway seed. (F.D.C. No. 48253. S. Nos. 9-308/9 V, 9-311/12 V.)

QUANTITY: 41 cases, each containing 24 1-lb. bags of Great Northern beans, 9 cases, each containing 12 6½-oz. pkgs., of cheesecake mix, 3 50-kos. bags of poppyseed, and 3 100-lb. bags of caraway seed, at Utica, N.Y., in possession of E. S. Damsky & Sons, Inc.

SHIPPED: Between 10-14-60 and 9-25-62, from Denver, Colo., Chicago, Ill., Poland, and Holland.

LIBELED: 10-27-62, N. Dist. N.Y.

CHARGE: 402(a) (3)—contained insects, insect larvae and parts; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 12-21-62. Default—destruction.

28862. Various dried beans. (F.D.C. No. 48288. S. Nos. 20-501/2 V, 20-554/60 V.)

QUANTITY: 25 100-lb. bags of baby lima beans, 50 100-lb. bags of pinto beans, 58 100-lb. bags of Great Northern beans, 183 100-lb. bags of navy beans, 82 100-lb. bags of lima beans, 67 100-lb. bags of baby lima beans, 15 100-lb. bags of black-eyed peas, 57 100-lb. bags of kidney beans, and 39 100-lb. bags of red beans, at Proctor, Okla., in possession of Robison Canning Co.

SHIPPED: Between 12-18-61 and 9-13-62, from Greeley, Colo., and Freeland, Mich.

LIBELED: 11-16-62, E. Dist. Okla.

CHARGE: 402(a) (3)—while held for sale, the Great Northern beans and the navy beans contained rodent urine and insect larvae, and the baby lima beans (67-bag lot) contained rodent urine; and 402(a) (4)—all lots of the article were stored under insanitary conditions.

DISPOSITION: 1-7-63. Consent—claimed by Robison Canning Co. Reconditioned and segregated; 5,620 lbs. converted into animal feed.

28863. Canned okra, tomatoes and corn. (F.D.C. No. 48036. S. No. 60-041 T.)

QUANTITY: 27 cases, each containing 24 cans, at New Orleans, La.

SHIPPED: Between 6-1-62 and 8-25-62, from Cullman, Ala., and Laurel, Miss., by King Pharr Canning Operations, Inc., and Miss America Foods, Inc.

LABEL IN PART: (Can) "Blue Plate Okra Tomatoes & Corn * * * net weight 15½ oz. Avoir * * * Distributed by Southern Shell Fish Co., Inc. New Orleans, La."

LIBELED: 9-21-62, E. Dist. La.

CHARGE: 402(a) (3)—the article contained mold when shipped.

DISPOSITION: 1-10-63. Default—destruction.

28864. Canned pork and beans. (F.D.C. No. 48610. S. No. 3-537 V.)

QUANTITY: 82 cases, each containing 24 cans, at Landover, Md.

SHIPPED: 1-2-63, from Delta, Pa., by Snyder Packing Co.

LABEL IN PART: (Can) "State House Pork and Beans in Tomato Sauce. Net Contents 1 Lb. 15 Oz. * * * Distributed By Harrisburg Grocery Co. Harrisburg, Pa."

RESULTS OF INVESTIGATION: Examination showed that the article averaged 1.58 percent short weight.

LIBELED: 1-17-63, Dist. Md.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents, since the label statement "Net Contents 1 Lb. 15 Oz." was inaccurate.

DISPOSITION: 3-5-63. Default—delivered to a charitable organization.

28865. Red pimentos. (F.D.C. No. 48581. S. No. 42-320 V.)

QUANTITY: 596 cases, each containing 12 1-pt. jars, at Philadelphia, Pa.

SHIPPED: 9-12-62, from Hurlock, Md., by Harper & Bateman Pickle Co., Inc.

LABEL IN PART: (Jar) "Shupak's Sweet Red Pimentos * * * 10 Oz. Net Drained Weight * * * Sold by Louis Shupak Co. Phila., Pa."

LIBELED: 1-4-63, E. Dist. Pa.

CHARGE: 402(a)(3)—contained insects, insect eggs, insect parts, insect fragments and maggots; 402(a)(4)—prepared and packed under insanitary conditions; and 403(k)—the article contained artificial color and a chemical preservative, namely, sodium benzoate, and its label failed to state such fact.

DISPOSITION: 4-3-63. Consent—claimed by Harper & Bateman Pickle Co., Inc. Reconditioned and relabeled.

28866. Pickled pepper pieces. (F.D.C. No. 48582. S. No. 41-026 V.)

QUANTITY: 92 cases, each containing 4 unlabeled 1-gal. jars, at Brooklyn, N.Y.

SHIPPED: 10-25-62, from Hurlock, Md., by Harper & Bateman Pickle Co., Inc.

LABEL IN PART: (Case) "Cut Peppers."

LIBELED: 1-7-63, E. Dist. N.Y.

CHARGE: 402(a)(3)—when shipped, contained maggots, insects, and insect eggs, larvae, parts, and fragments; 402(a)(4)—prepared and packed under insanitary conditions; 403(e)(1)—the article failed to bear a label containing the name and address of the manufacturer, packer, or distributor (case and jar); 403(e)(2)—the article failed to bear a label containing an accurate statement of the quantity of the contents (jar); 403(i)(1)—the label of the article failed to bear the common or usual name of the food (jar); 403(i)(2)—the label of the article failed to bear the common or usual name of each ingredient (case and jar); and 403(k)—the article contained artificial color and a chemical preservative, namely, sodium benzoate, and its labeling failed to state that fact.

DISPOSITION: 2-27-63. Consent—claimed by Harper & Bateman Pickle Co., Inc. Segregated and reconditioned; 4¾ cases destroyed.

28867. Zucca melon in brine. (F.D.C. No. 48370. S. No. 53-748 V.)

QUANTITY: 95 400-lb. drums, at Forest Grove, Oreg.

SHIPPED: 10-3-62, from Palermo, Calif., by California Zucca Melon Products Co.

LABEL IN PART: (Tag) "Zucca Melon In SO-2 Calcium Chloride * * * From California Zucca Melon Products * * * Palermo, California."

LIBELED: 11-20-62, Dist. Oreg.